

1 MICHAEL A. JACOBS (CA SBN 111664)  
2 MJacobs@mofo.com  
3 ARTURO J. GONZÁLEZ (CA SBN 121490)  
AGonzalez@mofo.com  
4 ERIC A. TATE (CA SBN 178719)  
ETate@mofo.com  
5 RUDY Y. KIM (CA SBN 199426)  
RKKim@mofo.com  
MORRISON & FOERSTER LLP  
6 425 Market Street  
San Francisco, California 94105-2482  
Telephone: 415.268.7000  
7 Facsimile: 415.268.7522

8 KAREN L. DUNN (*Pro Hac Vice*)  
kdunn@bsfllp.com  
9 HAMISH P.M. HUME (*Pro Hac Vice*)  
hhume@bsfllp.com  
10 BOIES SCHILLER FLEXNER LLP  
1401 New York Avenue, N.W.  
Washington DC 20005  
Telephone: 202.237.2727  
12 Facsimile: 202.237.6131

13 WILLIAM CARMODY (*Pro Hac Vice*)  
bcarmody@susmangodfrey.com  
14 SHAWN RABIN (*Pro Hac Vice*)  
srabin@SusmanGodfrey.com  
15 SUSMAN GODFREY LLP  
1301 Avenue of the Americas, 32nd Floor  
16 New York, NY 10019-6023

17 Attorneys for Defendants  
UBER TECHNOLOGIES, INC.  
18 and OTTOMOTTO LLC

19 UNITED STATES DISTRICT COURT  
20 NORTHERN DISTRICT OF CALIFORNIA  
21 SAN FRANCISCO DIVISION

22 WAYMO LLC,  
23 Plaintiff,  
24 v.  
25 UBER TECHNOLOGIES, INC.,  
OTTOMOTTO LLC; OTTO TRUCKING LLC,  
26 Defendants.  
27

28 Case No. 3:17-cv-00939-WHA

**DEFENDANTS UBER  
TECHNOLOGIES, INC. AND  
OTTOMOTTO LLC'S  
ADMINISTRATIVE MOTION TO  
FILE UNDER SEAL PORTIONS OF  
THEIR MOTION FOR SUMMARY  
JUDGMENT, MOTION TO STRIKE  
TS 96, AND DAUBERT MOTION**

Pursuant to Civil Local Rules 7-11 and 79-5, Defendants Uber Technologies, Inc. and Ottomotto LLC (“Defendants”) submit this motion for an order to file under seal portions of their Motion for Summary Judgment, Motion to Strike TS 96, and Daubert Motion. Specifically, Defendants request an order granting leave to file under seal the confidential portions of the following documents:

<b>Document</b>	<b>Portions to Be Filed Under Seal</b>	<b>Designating Party</b>
Motion for Summary Judgment, Motion to Strike TS 96, and Daubert Motion (“Motion”)	Highlighted Portions	Defendants (Blue) Plaintiff (Green)
Exhibit 1 to the Declaration of Esther Chang	Entirety	Defendants Plaintiff
Exhibit 2 to the Declaration of Esther Chang	Highlighted Portions	Plaintiff (Green)

The blue-highlighted portions of the Motion and the entirety of Exhibit 1 to the Chang Declaration contain highly confidential information regarding the technical details of Uber’s LiDAR systems, including specifications, diagrams, and schematics of LiDAR transmit boards. This highly confidential information is not publicly known, and its confidentiality is strictly maintained. Disclosure of this information could allow competitors to obtain a competitive advantage over Uber by giving them details into the technical components of Uber’s LiDAR sensors, such that Uber’s competitive standing could be significantly harmed. (Declaration of Michelle Yang in Support of Defendants’ Administrative Motion to File Documents Under Seal (“Yang Decl.”) ¶ 3.)

The green-highlighted portions of the Motion and Exhibit 2 to the Chang Declaration, as well as the entirety of Exhibit 1 to the Chang Declaration, contain information that has been designated “Highly Confidential – Attorneys’ Eyes Only” by Waymo in accordance with the Patent Local Rule 2-2 Interim Model Protective Order (“Protective Order”), which the parties

1 have agreed governs this case (Transcript of 3/16/2017 Hearing, page 6). Defendants file this  
2 material under seal in accordance with Paragraph 14.4 of the Protective Order. (Yang Decl. ¶ 4.)

3 Pursuant to Civil Local Rule 79-5(d)(2), Defendants will lodge with the Clerk the  
4 documents at issue, with accompanying chamber copies.

5 Defendants served Waymo with this Administrative Motion to File Documents Under  
6 Seal on September 11, 2017.

7 For the foregoing reasons, Defendants request that the Court enter the accompanying  
8 Proposed Order granting Defendants' Administrative Motion to File Documents Under Seal and  
9 designate the service copies of these documents as "HIGHLY CONFIDENTIAL –  
10 ATTORNEYS' EYES ONLY."

11  
12 Dated: September 11, 2017

MORRISON & FOERSTER LLP

13  
14 By: /s/ Michael A. Jacobs  
MICHAEL A. JACOBS

15 Attorneys for Defendants  
16 UBER TECHNOLOGIES, INC. and  
OTTOMOTTO LLC